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07/049,381	05/13/87	LEMELSON	I 052-037

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HÜWELL, EXAMINER

ART UNIT PAPER NUMBER

28

DATE MAILED:

05/15/96

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

See attachments.

- 1) Letter, no response period set.
- 2) PTO-892

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1. This paper is a collection of statements regarding the examination of this application, and no response to it by Applicant is required. It is noted that the present application belongs to a chain of applications extending back into the 1950's, and the file history is huge. Hopefully, this paper will help anyone reviewing this file in the future to save time understanding the issues.

Generally, these are the references which will be most relevant to issues surrounding this particular application: US Lemelson patents 3,313,014, 3,854,889, and 3,559,256; US Williamson patent 4,369,563 and its reexamination B1 4,369,563; US Williamson patent application 04/578,318 (abandoned); and the various articles written in the late 1950's by Wagenseil, which correspond to US 3,245,144 to Kumagai.

During various proceedings of the Williamson applications, notably the reexamination and the court case Molins v. Textron, the Wagenseil references have been analyzed and debated. The examiner will now state his opinion regarding these references. Page 107 of the American Machinist article of May 5, 1958, shows a schematic drawing of a production line produced by Hughes Aircraft and Kearney and Trecker. Note that the line labelled CONVEYOR in that figure has three loops off of it and three split arrows. Below that figure on page 107, a related article in the March 24, 1958, American Machinist is mentioned. Page 98 of the

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March 24, 1958, article has a photograph of the actual production line. As pointed out in pages 22-27 of the January 19, 1993, response in Lemelson's 07/636,415, this photograph corresponds to figure 1 of the Kumagai et al patent 3,245,144, which is assigned to Hughes Aircraft. As seen from figure 1 of that patent, the workpieces must pass adjacent each of the machines 1, 2, and 3. Thus, the loop and split arrow of the schematic figure on page 107 of the May 5, 1958, article is interpreted to mean that the particular machine may or may not perform an operation on the workpiece. It is not interpreted to mean that there is a conveying loop split off the main conveying line to either transfer the workpiece to a machine tool or bypass it completely.

Applicant has provided a more thorough explanation of figures 6-8 of this application in a recent amendment. The text of that amendment came from columns 18-20 of Lemelson's 3,559,256, and it is not considered to be new matter as it simply explains things shown in those figures.

The present specification has been essentially the same (the examiner has not particularly checked for minor grammatical or spelling changes) since 05/107,357 was filed on January 18, 1971. 05/107,357 is a CIP of 04/858,560, filed August 29, 1969, which issued as US patent 3,854,889, which was a continuation of 04/629,758, filed April 10, 1967, now abandoned. 04/629,758 was a CIP of 04/465,812, filed on April 8, 1965, which issued as

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US patent 3,313,014. The '889 and '014 patents have many of the same drawings. Figures 1-15 of the two patents are the same; figures 16-21 were added for the '889 patent. This information will come in useful when determining the earliest filing dates for the interference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Howell whose telephone number is (703) 308-1728.

dwh
April 28, 1996



DAN HOWELL
EXAMINER
ART UNIT 3209